

WATER MANAGEMENT BOARD
NOTICE OF PUBLIC HEARING TO AMEND RULES

A public hearing will be held by the Water Management Board on March 11, 2009, at 11:45 a.m. CDT at the Matthew Environmental Education and Training Center, 523 East Capitol Avenue, Pierre, South Dakota, to receive and consider testimony, suggestions, and recommendations to the proposed amendments to the Administrative Rules of South Dakota (ARSD):

Surface Water Quality Standards: ARSD 74:51:01
Uses assigned to lakes: ARSD 74:51:02
Uses assigned to streams: ARSD 74:51:03

The effect of the proposed amendments to these rules will be as follows:

ARSD 74:51:01 – Surface Water Quality Standards – update references; correct typographical errors; clarify language; update toxic pollutant criteria; add and modify definitions; modify the dissolved oxygen and pH criteria; add E. coli criteria; set site specific criteria for the Little White River and White River; and add beneficial uses to low flow rates for low quality fishery waters.

ARSD 74:51:02 – Uses assigned to lakes – review, remove, and reassign designated beneficial uses of certain lakes; and

ARSD 74:51:03 - Uses assigned to streams – review and reassign designated beneficial uses of certain streams and correct typographical errors.

The reason for the proposed changes is to review and update the designated beneficial use classifications and water quality standards. South Dakota Codified Law 34A-2-17 and the federal Clean Water Act require each state to conduct periodic reviews of its water quality standards.

Persons interested in presenting data, opinions, and arguments for or against the proposed rules may do so by appearing in person at the hearing or by sending written comments to the South Dakota Department of Environment and Natural Resources, Surface Water Quality Program, PMB 2020, Joe Foss Building, 523 East Capitol Avenue, Pierre, South Dakota 57501-3182. Material sent by mail must reach the Surface Water Quality Program by 5:00 p.m., March 10, 2009, to be taken into consideration at the hearing.

After the hearing, the board will consider all written and oral comments it receives on the proposed rules. The board may modify or amend a proposed rule to include or exclude matters that are described in this notice.

Notice is further given to individuals with disabilities that this hearing is being held in a physically accessible place. Please notify the Department of Environment and Natural Resources at least 48 hours before the public hearing if you have a disability for which special arrangements must be made at the hearing. To request special arrangements or copies of the proposed rules and supporting documentation, call or write to: Patrick Snyder, Surface Water Quality Program, PMB 2020, Joe Foss Building, 523 East Capitol Avenue, Pierre, South Dakota 57501-3182; phone (605) 773-3351. Copies of the proposed rules and supporting documentation can also be obtained by visiting the Department's website at <http://www.state.sd.us/denr/denr.html>.

Steven M. Pirner, Secretary
Department of Environment and Natural Resources